

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America)

v.)

PEDRO FRANCISCO-SUAZO,)

a/k/a "Pedro F. Suazo-Rondon,")

a/k/a "Pedro Suazo,")

a/k/a "Ferdinand Alfred Medina-Dalmau")

Case No.

17-378-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 5, 2016 in the county of Philadelphia in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

8 U.S.C. Section 1326(a)

Offense Description

Pedro Francisco-Suazo, an alien, and native and citizen of the Dominican Republic, who had previously been deported from the United States on or about December 7, 2009, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the Attorney General or his successor, the Secretary for the Department of Homeland Security, for permission to reapply for admission, and without receiving in response the express consent to reapply for admission, in violation of 8 U.S.C. Section 1326(a).

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.*Complainant's signature*

Thomas R. Darmody, Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date:

March 10, 2017*Judge's signature*

City and state:

Philadelphia, PA

HON. LYNNE A. SITARSKI, USMJ

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AFFIDAVIT

1. I, Thomas R. Darmody, am a Deportation Officer of the Department of Homeland Security under Immigration and Customs Enforcement (“ICE”). I have been an Officer with ICE since June of 2005. As part of my duties, I conduct investigations related to violations of the Immigration and Nationality Act, specifically foreign born nationals that have been deported from the United States and subsequently reentered the United States illegally. I am currently assigned to the ICE Enforcement and Removal Operations (“ERO”) Philadelphia, Pennsylvania Field Office (“ICE ERO/PHI”) and my duties include investigating violations of Title 8 of the United States Code to include violations of immigration offenses.

2. This affidavit is made in support of a criminal complaint against Pedro Francisco-Suazo also known as “Pedro F. Suazo-Rondon,” “Pedro Suazo” and “Ferdinand Alfred Medina-Dalmau,” because there is probable cause to believe that Francisco-Suazo, an alien, has illegally re-entered the United States after deportation, in violation of Title 8, United States Code, § 1326(a).

3. On February 5, 2016, ICE received information via the Secure Communities/Priority Enforcement Program that Francisco-Suazo had been arrested by Philadelphia Police for a violation of Pennsylvania narcotics laws. Francisco-Suazo, in Philadelphia Police Department custody at that time, was found to be a match to FBI No. 625080KC7. ICE lodged an immigration detainer that the Philadelphia Prison sytems did not honor and Francisco-Suazo was eventually released after serving the sentence on his case.

4. On March 7, 2017, Deportation Officer Darmody encountered Francisco-Suazo in Philadelphia, PA. Deportation Officer Darmody scanned Francisco-Suazo's fingerprints and submitted those fingerprints to the National Crime Information Center ("NCIC") and Department of Homeland Security Databases. NCIC indicated that FBI No. 625080KC7 was assigned to Francisco-Suazo and that Francisco-Suazo had previous encounters with U.S. Immigration and Customs Enforcement. Further checks in the Enforcement Alien Removal Module ("EARM") database were conducted for Francisco-Suazo's immigration history in the United States. It was found that Francisco-Suazo had been previously deported from the United States on December 7, 2009.

5. On March 8, 2017, your affiant reviewed the official record or Alien File ("A File") pertaining to Pedro Francisco-Suazo. The A File is maintained by ICE. These records are maintained in the name of Pedro Francisco-Suazo and contain this individual's biographical information, family history, records of encounters with ICE, conviction records, photographs and fingerprints. Based on the review of these records, your affiant has concluded that this A File does in fact pertain to the individual charged in this complaint. The record reflects the following information relative to this individual:

- a. Pedro Francisco-Suazo is a citizen and national of the Dominican Republic.
- b. There is no evidence in his alien file that Francisco-Suazo is a citizen or national of the United States.
- c. This affidavit and the Complaint to which it is attached correctly reflect Francisco-Suazo's true name.

d. On November 8, 2009, Francisco-Suazo was sentenced to time served in the United States District Court for the District of Puerto Rico, based upon a guilty plea to Illegal Entry, in violation of Title 8, United States Code § 1325.

e. On August 10, 2016, Francisco-Suazo was sentenced to 6 months to 23 months' confinement and 2 years' probation in the Court of Common Pleas for Philadelphia County, under the name "Pedro F. Suazo-Rondon," based upon a guilty plea to possession with the intent to deliver a controlled substance and conspiracy: possession with the intent to deliver a controlled substance, in violation of Title 35, Pa.C.S.A. § 780-113(a)(30) and Title 18, Pa.C.S.A. § 903.

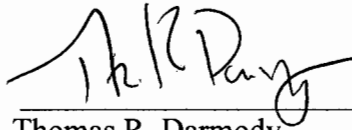
f. The United States, pursuant to a "Warrant of Deportation/Removal," removed Francisco-Suazo on or about December 7, 2009 through Aguadilla, Puerto Rico to the Dominican Republic.

g. Francisco-Suazo re-entered the United States on an unknown date, and did so without having obtained the permission of the Attorney General of the United States or his successor, the Secretary of Homeland Security, to reapply for admission.

6. A search of ICE databases reveal that Francisco-Suazo did not seek the permission of the United States Attorney General, or his successor, the Secretary of the Department of Homeland Security, to reapply for admission into the United States, as required by 8 U.S.C. 1360(d).

7. An electronic comparison of fingerprint impressions obtained from Francisco-Suazo on March 7, 2017 with fingerprint impressions in his alien file reflects that they were made by the same individual.

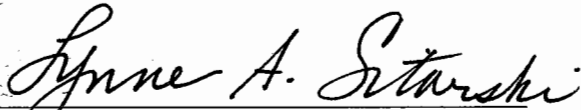
Based on all of the foregoing, your affiant believes that there is probable cause to believe that Pedro Francisco-Suazo also known as "Pedro F. Suazo-Rondon," "Pedro Suazo" and "Ferdinand Alfred Medina-Dalmau," has committed the offense of illegal reentry into the United States after deportation, in violation of Title 8, United States Code, § 1326(a), and respectfully asks that the Court issue a warrant ordering his arrest for such crime.



Thomas R. Darmody
Deportation Officer
Immigration and Customs Enforcement

SUBSCRIBED TO AND SWORN TO BEFORE ME

THIS 10th DAY OF March, 2017



HONORABLE LYNNE A. SITARSKI
United States Magistrate Judge